

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

31

In re Application of:
ELLEDGE, et al.

Serial No.: 09/122,384

Filing Date: July 24, 1998

For: RAPID SUBCLONING USING SITE-
SPECIFIC RECOMBINATION

Group Art Unit: 1636

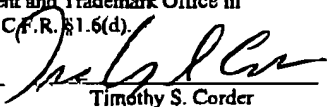
Examiner: Yucel, I.

Atty. Dkt. No.: BAY136/4-010CIP
(formerly BCM-03434)

CERTIFICATE OF FACSIMILE

I certify that this correspondence is being transmitted by
facsimile to the Patent and Trademark Office in
accordance with 37 C.F.R. §1.6(d).

June 15, 2001
Date


Timothy S. Corder

PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. §1.313(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir or Madam:

This petition is a request under 37 C.F.R. §1.313(c) to withdraw from issue the captioned application in order to expressly abandon the application to permit consideration of an information disclosure statement under 37 C.F.R. §1.97 in a continuing application. The requisite fee of \$130.00 in accordance with 37 C.F.R. §1.17(i) is attached hereto.

The captioned application was previously abandoned for failure to pay the issue fee.

A petition to revive the application and the issue fee were filed on March 20, 2001.

The petition to revive the application was granted on May 29, 2001.

Applicant's representatives have now received art that was unknown to applicant prior to filing of the petition to revive the application.

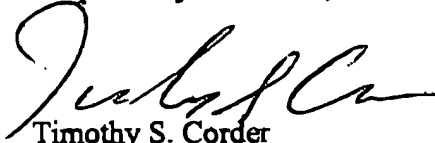
Applicant therefore requests withdrawal of issue of the captioned application in order to have this newly received art considered by the Examiner in a continuation application.

Attached hereto is a request for filing a continued prosecution application and the requisite filing fee. The request includes an express abandonment of the parent application.

The present papers are filed by facsimile. The information disclosure statement and attached references are being filed under separate cover because the size of the information disclosure statement makes filing by facsimile impractical.

Favorable consideration of this petition and withdrawal of the captioned application from issue are respectfully requested.

Respectfully submitted,



Timothy S. Corder
Reg. No. 38,414
Agent for Applicant

Vinson & Elkins L.L.P.
2300 First City Tower
1001 Fannin
Houston, Texas 77002-6760
512/495-8446

Date: June 15, 2001